

Assembly

TRANSPORTATION COMMITTEE MINUTES

March 15, 1973

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Present: Messrs: Glover, Bickerstaff, Howard, Jacobsen,
Dreyer

Absent: Mr. May and Mr. Smalley (Mr. Smalley was excused
due to a family emergency.)

Speakers: Mr. H. E. Gallaway, Department of Agriculture
Mr. James Lambert, Nevada Highway Patrol
Mr. John Ciardella, Motor Vehicle Department
Mr. Howard Hill, Motor Vehicle Department
Mr. Robert Guinn, Nevada Motor Transport & Nevada
Franchised Auto Dealers' Associations

Chairman Glover called the meeting to order at 4:04
and stated the first order of business to be A.B. 387.

Mr. H. E. Gallaway, Department of Agriculture, said
his Department wished to be included in A.B. 387 because
the inspectors duties were often hampered by having to
drive a car which was officially marked. The rural people
recognized the cars easily. He added the Department had
eight cars of this type.

Mr. Glover said the next bill, A.B. 158, had pre-
viously had testimony, but he believed there were to be
some amendments and asked if anyone had information on
the subject. Mr. James Lambert, Nevada Highway Patrol,
read the changes as stated at a prior meeting. He said,
that to his knowledge, there had not be a reprint on the
bill as of this time. Mr. Robert Guinn, Nevada Motor
Transport and Nevada Franchised Auto Dealers' Associa-
tions, said there might be a problem of conflict with
A.B. 155. Mr. John Ciardella, Motor Vehicle Department,
said "section 13", A.B. 155, do not read the same, but he
felt "lines 44 and 45" of A.B. 158, should be replaced by
the clause in A.B. 155 which concerns the same subject.
He said there should also be a subsection added on "page 3"
after "section 8". Mr. Lambert said this would be submitted
in writing.

Mr. John Ciardella, DMV, gave testimony on A.B. 91. He
said the Department had new language to submit. (See
Attachment I) He felt that this language should also be
incorporated in A.B. 87. Mr. Guinn concurred.

S.B. 71 was explained by Mr. Ciardella. He said the bill would allow the Motor Vehicle Department to revoke certain improper documents. This has been done for quite sometime, but since there was no legal authority, that if challenged by a court the case would be lost. This measure was proposed only as a correction.

Mr. Glover said the next bill on the agenda, S.B. 113, was in conflict with S.B. 114, as concerned with the licensing of drivers. Mr. Glover said discussion on this subject would be postponed until he obtained the amendments of the conflict.

S.B. 400 was the next order of business. Mr. Glover asked if Mr. Guinn was familiar with the bill. Mr. Guinn gave a short resume of the bill. (See Attachment II) Mr. Guinn said the bill was considered an emergency measure due to the possibility of a disruption in a public service.

Mr. Glover asked for further business. Mr. Dreyer said that the Department of Motor Vehicles' Director, Mr. Howard Hill, submitted the document requested for the clarification of the assessors' attitude toward S.B. 74. He felt, therefore, that the Committee could vote on the bill at their convenience. Mr. Glover then called a five minute recess.

After resuming the meeting, Chairman Glover entertained a motion on S.B. 400.

S.B. 400 - Mr. Jacobsen made a motion to pass and was seconded by Mr. Bickerstaff. Unanimous vote for "do pass".

S.B. 71 - Mr. Bickerstaff made a motion to pass. Mr. Jacobsen seconded the motion. The vote was unanimous for "do pass".

A.B. 91 - A motion was made to amend and pass by Mr. Dreyer. Mr. Jacobsen seconded the motion and the vote was unanimous for "do pass as amended".

S.B. 113 - Mr. Glover said that even though there was a conflict between S.B. 113 and S.B. 114, the Governor had signed S.B. 114. After a discussion during which Mr. Dreyer reiterated the differences of the bills, he made a motion to kill the bill. Mr. Bickerstaff seconded the motion. The vote was unanimous to "kill".

S.B. 74 - Mr. Dreyer suggested a vote on S.B. 74, since DMV submitted the previously stated document. Mr. Jacobsen made a motion to pass and Mr. Dreyer seconded. Unanimous for "do pass".

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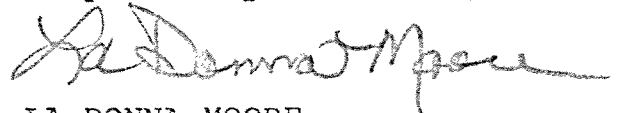
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A.B. 387 - Mr. Glover read the amendment concerning the conflict of A.B. 387 and S.B. 63. (See Attachment III) He also read a letter from R.E. Hansen, Real Estate Division, requesting that the Division be included in the bill. After discussion, Mr. Howard made a motion to amend and pass, and Mr. Jacobsen seconded the motion. The vote was unanimous for "amend and pass".

Mr. Glover said that he was now in possession of the information on the conflict in S.B. 113 and S.B. 114. Mr. Jacobsen stated that he did not feel the information was pertinent since a vote had been taken and the bill was killed.

Chairman Glover stated that if there was no further business, he would entertain a motion to adjourn. Mr. Jacobsen made a motion to adjourn and Mr. Bickerstaff seconded the motion. Chairman Glover adjourned the meeting.

Respectfully submitted,



LA DONNA MOORE
Assembly Attache

/lm
Attachments

ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date March 15, 1973 Time 4:00 p.m. Room 336

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
A.B. 387	Exempts certain state automobiles from being officially marked.	
A.B. 158	Adds and clarifies definitions in traffic laws.	
A.B. 91	Enlarges the conditions upon which vehicle dealer's or rebuilder's license may be revoked.	
S.B. 71	Broadens authority to revoke improper motor vehicle documents.	
S.B. 113	Permits the return of a replacement driver's license at the end of the period of suspension.	

*Please do not ask for counsel unless necessary.

ASSEMBLY
H E A R I N G

COMMITTEE ON TRANSPORTATION

Date March 15, 1973 Time 4 p.m. Room 336

THIS IS AN ADDITION TO PREVIOUS AGENDA FOR MARCH 15, 1973.

Bill or Resolution
to be considered

Subject

S.B. 400

Allows the Public Service Commission to continue certificate of convenience and necessity under valid lease for limited period.

March 2, 1973

To: Howard Hill, Director

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From: Richard J. Bortolin, Deputy Attorney General

Subject: AB 91

On March 1, 1973, at a hearing held before the Assembly Transportation Commission, I suggested language to be added to paragraph (e) of Subsection 1 of NRS 482.352, which is a new sentence added to line 12 of AB 91.

The language to be added is as follows:

" For the purposes of this section, failure to adhere to the directives of the director advising the licensee of his non-compliance with any provisions of the motor vehicle laws of the State of Nevada or rules and regulations of the department, within 10 days of receipt of such directives, shall be considered prima facie evidence of willful failure to comply."

RJB:ct

cc: Freddie Little
Leonard Winkelman

ATTACHMENT 22
TO: William Raggio

FROM: Robert F. Guinn

RE: Senate Bill # 400

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As indicated by the wording in the bill, the legislature in 1963 amended the Motor Carrier Act by deleting the right of a truck or bus operator holding a certificate of public convenience and necessity to lease to another the transportation authority authorized.

At the time the law became effective on July 1, 1963, there were a number of valid leases outstanding, and the Public Service Commission permitted the provisions of the various leases to continue until the leases expired. Most of the leases have since run out. However, we do have at least one which is still in effect, but will expire at the end of this month, and the purpose of this bill is to permit the operation to continue for a few more months under the existing lease pending the opportunity of the owner to transfer the certificate to a new owner.

The owner of the certificate is a widow over 70 years old. She has a valid offer by a qualified person to buy her authority, but it will take several months to file the necessary papers and to conduct the hearings required before a decision on a transfer can be made by the Commission. Should the extension not be granted as provided in S.B. 400, she will be compelled to take over the operation of the truckline pending action on the proposed transfer. This would require assuming full responsibility for the line's operation, securing management capability, etc., which she is hardly capable of doing. Should she not be granted additional time to arrange a transfer without assuming control it could possibly result in a disruption of the public service involved.

3/12/73

Adopted
Lost
Date:
Initial:
Concurred in
Not concurred in
Date:
Initial:

Adopted
Lost
Date:
Initial:
Concurred in
Not concurred in
Date:
Initial:

Amendments to Assembly / Senate
Bill/Joint Resolution No. _____ (BDR _____)
Proposed by _____ 111

ATTACHMENT III

Amendment N^o 453

1/23/1968

Section 1, page 1, line 22, by inserting "after marshal".
Section 1, page 1, by deleting line 23 and inserting:
"The investigation and narcotics division of the department of law enforce-
ment assistance, (and) investigations of the state family control board, the
division of brand".
Read the bill as a whole by adding the section designated sec. 3, follow-

ing sec. 2 as amended follows:



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Amendment No. 12 to Bill No. 207 (BDR) Page 2

"Sec. 3. This act shall become effective at 12:01 a.m. on July 1, 1973."

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